

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
BUFFETS HOLDINGS, INC., et al., ) Jointly Administered  
Debtors. ) Bankr. No. 08-10141  
)  
)

DELMARVA POWER & LIGHT CO., )  
et al., )  
Appellants, )  
v. ) Civ. No. 08-188-SLR  
BUFFET HOLDINGS, INC., )  
Appellee. )

**O R D E R**

At Wilmington this 4th day of August, 2008, having reviewed appellants' motion for relief from the court's mandated mediation and for expedited consideration of their appeal;

IT IS ORDERED that said motion (D.I. 7) is granted in part and denied in part, as follows:

1. The parties to this appeal shall participate in the scheduled mediation.
2. Appellants' representatives having settlement authority shall be permitted to appear at the mediation telephonically; however, such representatives shall be required to speak directly to me if the mediator determines that their participation by telephone is

feckless.

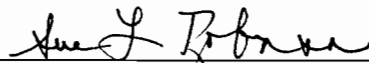
3. If mediation is unsuccessful, the appeal shall proceed according to the following schedule:

a. Appellants' opening brief shall be filed on or before **August 27, 2008**.

b. Appellee's responsive brief shall be filed on or before **September 12, 2008**.

c. Appellants' reply brief shall be filed on or before **September 19, 2008**.

d. The court shall hear oral argument on **September 25, 2008 at 10:00 a.m.** in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. Appellants (collectively) and appellee shall each have 30 minutes in which to present their arguments.

  
United States District Judge